THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO. 8346 OF 2002

DATED: 16-08-2005

Between

1. Lavudya Bhekya Naik, S/o. Balu Naik,

   Aged 46 years, R/o. H. No. 3-144,

   Waddepally, Banjara Colony, Hanamkonda,

   Warangal District and another.

..... PETITIONER

And

1 . Kakatiya Urban Development Authority, rep. by its Vice Chairman, Warangal and others..

..... RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO. 8346 OF 2002

ORDER:

The petitioner invokes the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India with a prayer to issue a writ of Mandamus declaring the action of the respondents in not taking steps to remove the encroachments in open areas meant for community purposes reserved as such in the sanctioned layout No. 6/96 in S.No.15 Waddepally, Banjara Colony, Hanamkonda as arbitrary and illegal. The petitioner also prays for issuance of consequential directions to the respondents to consider his representations and take necessary action for removal of illegal constructions and encroachments in the open area which is otherwise meant for community purposes.

In the counter affidavit filed by the Mandal Revenue Officer, it is explained in detail that layout No. 6/96 in Sy.No.15 situated at Waddepally Village, Hanamkonda Mandal is prepared by the Kakatiya Urban Development Authority and open area meant for the community purpose is shown in the middle of the layout. The said

layout has undergone revision as revised layout No. 29/2002. The open area is shown towards south and west side of the pattadar. That in terms of the revised layout the constructions are found to be correct and no illegal constructions have been made by encroaching into any land reserved for community purposes.

In such view of the matter, no further directions as such are required to be issued. I find no merit in the writ petition and the same shall accordingly stand dismissed without any order as to costs.

(B. Sudershan Reddy, J)

16..08..2005

ks